

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0130 Arkansas Tech University

ACT#: 1617

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FOOD SERVICE. If Arkansas Tech University cancels the current contract for food service and chooses to operate the food service with University employees, the President, upon authorization of the Board of Trustees, is allowed to utilize the contingent positions contained in Section 1 of this Act, provided he or she has obtained approval from the Department of Higher Education and the Chief Fiscal Officer of the State, who has sought prior review by the Arkansas Legislative Council.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

INSTITUTION REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0130 Arkansas Tech University

ACT#: 1617

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND BALANCES. The Board of Trustees in its official governing capacity charged with the management or control of the institution of higher learning and the President or Chancellor as the Chief Executive shall certify to the Chief Fiscal Officer of the State and the Legislative Council that as of December 31 of each year that sufficient appropriations and funds are available, or will become available, to meet all current and anticipated obligations during the fiscal year for the payment of the obligations when they become due.

This certification, signed by the Chair of the Board of Trustees and the President or Chancellor will be forwarded by February 28 of each year or upon release of the previous year's audit by Legislative Audit to the Chief Fiscal Officer of the State and the Legislative Council accompanied by the Board approved published annual financial statement for the preceding fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

INSTITUTION REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0130 Arkansas Tech University

ACT#:

SECTION#: NEW

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL ALLOWANCE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. The Board of Trustees of Arkansas Tech University may make special allowances available to any coach who coaches more than one sport in an amount not to exceed \$10,000 per year for any one coach during each year of the 2005-2007 biennium. Further, if the special allowance funds authorized herein are utilized, Arkansas Tech University shall report annually to the Legislative Joint Auditing Committee the exact disposition of those special allowance funds. The provisions of this section shall be in effect from July 1, 2005 through June 30, 2007.

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2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0130 Arkansas Tech University

ACT#:

SECTION#: NEW

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS TECH INSTITUTE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. The Arkansas Tech Institute (ATI) shall be administered under the direction of Arkansas Tech University. Utilizing a multidisciplinary collaboration of professionals, ATI shall explore, develop, implement, and evaluate new and better ways to integrate the teaching, study and performance of business, engineering, and computer sciences for academic, economic, and economic development purposes in Arkansas. ATI priorities shall include, but are not limited to, economic development, technology development, and "cyber-park" development. Arkansas Tech University shall make annual reports to the Arkansas Legislative Council on all matters of funding, existing programs, and services offered through ATI.

INSTITUTION REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0522 Arkansas Valley Technical Institute

ACT#: 1021

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CONTINGENCY. (a) To address needs emerging from the restructuring of the Technical Institutes, Arkansas Valley Technical Institute of Arkansas Tech University shall establish and maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of four (4) unclassified positions and three (3) classified positions, payable from funds appropriated for Arkansas Valley Technical Institute of Arkansas Tech University. These positions are to be used by Arkansas Valley Technical Institute of Arkansas Tech University in the event that the number and level of positions available to address the needs emerging from business and industry driven program expansions exceeds the number of positions regularly authorized for Arkansas Valley Technical Institute of Arkansas Tech University.

(b) Arkansas Valley Technical Institute of Arkansas Tech University shall provide justification to the Department of Finance and Administration's Office of Personnel Management (OPM) for the need to allocate titles from this position pool. No classifications will be assigned to the pool until such time as specific positions are requested and justified by Arkansas Valley Technical Institute of Arkansas Tech University, recommended by OPM and approved by the Legislative Council. Arkansas Valley Technical Institute of Arkansas Tech University may transfer positions from this pool to any pay schedule the agency currently maintains or any pay schedule the agency receives during the ~~2003-2005~~ 2005-2007 biennium.

(c) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

accomplished by delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that Arkansas Valley Technical Institute of Arkansas Tech University could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing growth pools in subsection (a) of this section and since the General Assembly has granted the agency broad powers under the growth pool concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the growth pool by requiring prior approval of the Legislative Council in the utilization of the growth pool. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void. If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next biennium, the position(s) must be requested as a new position(s) in the agencies biennial budget request. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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AGENCY: 0522 Arkansas Valley Technical Institute

ACT#: 1021

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PART-TIME FACULTY. The Technical Institutes are not required to remit a state contribution to the state employee insurance trust fund on Workforce Education Part-time Faculty Positions unless the position will be utilized for more than 1,000 hours a year.

The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.

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2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0522 Arkansas Valley Technical Institute

ACT#: 1021

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~HEALTH INSURANCE. By November 30, 2003, employees who were employed on June 30, 2003 by Arkansas Valley Technical Institute shall have the right to make a one-time choice between:~~

- ~~——— (i) The Arkansas Tech University Health Insurance Plan; or~~
- ~~——— (ii) The health insurance plan adopted by the state and Public school life and Health Insurance Board for state employees.~~

~~——— The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

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